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Subd. 4. In addition to the powers already conferred on him by law, the commissioner of education shall, through the authority delegated to the state board of education, promulgate rules and regulations in regard to the following matters:

- (a) State certification of all long term sheltered workshops and work activity programs;
- (b) Eligibility of community long term sheltered workshop and work activity programs to receive state grants;
- (c) Standards for qualification of personnel and quality of professional service and for in-service training and education leave programs for personnel;
- (d) Eligibility for service so that no person will be denied service on the basis of race, creed, or color;
- (e) Regulatory fees for consultation services;
- (f) Standards as to types and kinds of severely disabled persons eligible for such services; and
- (g) Such other rules and regulations as he deems necessary to carry out the purposes of sections 121.71 to 121.715.

Subd. 5. The commissioner of education shall appoint a director of community long term sheltered workshop programs to assist him in carrying out the purposes of sections 121.71 to 121.715. The director so appointed shall serve within the division of vocational rehabilitation of the department of education and shall be classified not lower than a division head and shall receive the pay of a division head. Qualifications for the director shall include, but not be limited to, advance training in economics and experience in the field of economics. The commissioner may employ such other qualified personnel as are necessary to carry out the provisions of sections 121.71 to 121.715.

[1973 c 312 s 5]

CHAPTER 123. SCHOOL DISTRICTS; ELECTIONS, POWERS AND DUTIES

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INDEPENDENT SCHOOL DISTRICTS

123.32 Independent school districts, elections

[For text of subs. 1 to 4, see M.S.1971]

Subd. 5. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers, placing thereon the names of the proposed candidates with the same number of blank spaces for the insertion of names of other candidates as there are members to be elected. The name of each candidate for office shall be rotated with the names of the other candidates for the same office so that the name of each candidate appears substantially an equal number of times at the top, at the bottom, and at each intermediate place in the group of candidates for that office. The ballots shall be marked and initialed by at least two judges as official ballots and shall be used exclusively at the election. Any proposition to be voted upon shall be stated on

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a separate ballot. Voting shall be by secret ballot. The facsimile signature of the clerk shall appear on the backs of the ballots.

[1973 c 477 s 1]

[For text of subs. 6 to 23, see M.S.1971]

Subd. 24. (a) Any person entitled to vote in an election in an independent district who will be absent from the district at the time the election is held, or who by reason of physical disability or religious discipline will be unable to appear at the polling place at the time the election is held, may vote by mail or hand deliver an absentee ballot envelope in accordance with this subdivision.

(b) Not more than 45 nor less than one day before the election a voter desiring an absentee ballot shall make a request in writing for an absentee ballot to the clerk of the district. The request shall be made in person or by mail and shall state substantially the following: a) the permanent address of the applicant; b) the reason the applicant cannot vote in person; c) that the applicant wishes a ballot for (date election to be held); and d) that the applicant will be qualified to vote at the election. The application shall be signed and sworn before an officer authorized to administer oaths. The temporary mailing address, if any, of the applicant shall be included in the request.

(c) As soon as the ballots are printed, the clerk shall, by certified mail or in person, deliver a ballot to each applicant. The clerk also shall furnish a "ballot envelope" and a return envelope, both envelopes addressed to the clerk of the district.

(d) Together with the ballot and envelopes the clerk shall furnish an instruction sheet to each applicant. The sheet shall read: "Absentee Voting School District No. Instructions

1. Mark your ballot in the usual manner making certain that no one observes how you vote.

2. Enclose ballot in 'ballot envelope' and seal. Do not make any marks on ballot envelope.

3. Place sealed 'ballot envelope' in regular mailing envelope furnished to you.

4. Execute certificate on bottom of this sheet and enclose with 'ballot envelope' in regular envelope and mail not later than one day before the election. If your ballot is received by the clerk after the close of the polls, it will not be counted.

CERTIFICATE

I,, hereby certify that I am a legal resident of School District Number; that I am years of age and reside at; that I am under no legal disability to vote; that I am entitled to vote at this election in the district, and I will not vote in any manner other than by the ballot contained in the enclosed 'ballot envelope.'"

(e) Before any ballots are counted, the clerk shall deliver unopened all regular mailing envelopes which have come into his possession and all ballots delivered to him by the officers or employees of the United States post office department and all other ballot envelopes delivered to him in person prior to the opening of the ballot boxes by the judges together with all applications for absentee ballots to the judges of election at the proper polling places. The clerk shall sign his name over the seals of the regular mailing envelopes to insure against tampering and deliver the same to the judges after the polls have opened and before they close.

(f) Before opening the ballot boxes, the judges shall inspect the regular envelopes to ascertain that they were properly mailed and then open the regular envelopes and compare the signature on the certificate contained in the envelope with the signature as it appears on the application for absentee bal-

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lot. Having satisfied themselves that the vote should be allowed, one of the judges shall write the word "received" and his own initials on the "ballot envelope" and deposit the unopened "ballot envelope" in a separate absentees ballot box.

(g) After the polls have closed and before the regular ballot boxes are opened, the judges shall open the absentees ballot box, remove the ballot from each "ballot envelope", initial it and deposit it in the regular ballot box.

(h) Ballots received by the clerk after the count has been begun by the judges are void.

(i) The board is authorized to provide necessary funds to the clerk for the execution of this chapter.

(j) In any district where permanent registration of voters is required no ballot may be accepted from any voter who is not validly registered.

(k) Any person who shall wilfully make or sign any false certificates specified herein; any person who shall wilfully make any false or untrue statement in any application for an absentee ballot; any person who shall wilfully exhibit to any other person any ballot marked by him; any person who shall in any way wilfully do any act contrary to the terms and provisions of this chapter with intent to cast an illegal vote in any district or to aid another in so doing shall be guilty of a felony.

[1973 c 477 s 2]

[For text of subd. 25, see M.S.1971]

Subd. 26. Each candidate may appoint by written certificate, and the judges shall permit, one person at a time to act as challenger of voters for each candidate for each precinct and shall be allowed to be in the polling place while the election is being held and to remain with the election judges until the votes are counted and shall be permitted to be in attendance when the school board canvasses the votes and declares the results.

Subd. 27. (a) It shall be unlawful for any person within 100 feet of the building in which any polling place is situated on the day of election to ask, solicit, or in any manner try to induce or persuade any voter on such election day to vote for or refrain from voting for any candidate or measure submitted to the people.

(b) No person shall buy, sell, give, or provide any political badges, buttons, or other insignia to be worn at or about the polls on the day of election and no such political badge, button, or other insignia shall be worn at or about the polls on election day.

(c) No political signs or advertising designed to influence a voter on a question or candidate shall be displayed within 100 feet of the building in which the polling place is located on the day of election.

[1973 c 477 s 3]

123.33 Boards of independent school districts

[For text of subds. 1 to 11, see M.S.1971]

Subd. 12. The clerk, treasurer, and superintendent of any district shall receive such compensation as may be fixed by the board. Unless otherwise provided by law, the other members of the board shall also receive such compensation as may be fixed by the board. All members of the board may receive reimbursement for transportation at the rate provided for in 15A.20.

The chairman, clerk, and treasurer of a district reclassified from a county district shall receive such additional compensation as may be fixed by the board of education.

In addition to their salaries, the members of boards in districts reclassified from county districts shall be paid their actual expense and necessary travel expenses incurred and paid by each of them in the conduct of their official duties, including the visitation of schools. Such expenses should be paid upon

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the presentation of duly itemized statements, approved by the board, and which shall be made a part of the official records of the board.

[1973 c 690 s 1]

[For text of subds. 13 and 14, see M.S.1971]

Subd. 15. Any school district, or group of school districts, may become a member of, and pay dues to, any nonprofit corporation organized prior to the passage of Laws 1973, Chapter 263 under and pursuant to the provisions of the Minnesota nonprofit corporation act, whose purposes are to promote the improvement of teacher education through student teaching, internships, and research.

[1973 c 263 s 1]

Subd. 16. Any action undertaken or moneys expended by a school district, group of school districts, or nonprofit corporation for the purposes and under the authority of subdivision 15, but prior to its enactment, is hereby ratified and confirmed.

[1973 c 263 s 2]

123.35 General powers of independent school districts

[For text of subds. 1 to 8, see M.S.1971]

Subd. 9. The board may establish and maintain one or more kindergartens for the instruction of children and after July 1, 1974, shall provide kindergarten instruction for all eligible children, either in the district or in another district. All children to be eligible for kindergarten must be at least five years of age on September 1 of the calendar year in which the school year commences. In addition all children selected under an early admissions policy established by the school board may be admitted. Nothing in this section shall prohibit a school district from establishing head start, pre-kindergarten, or nursery school classes for children below kindergarten age. Any school board with evidence that providing kindergarten will cause an extraordinary hardship on the school district may apply to the commissioner of education for an exception.

[1973 c 491 s 1]

[For text of subds. 10 to 13, see M.S.1971]

123.39 Independent school districts, transportation

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. The board may purchase buses on the installment plan, the installments to be all paid within a period of not to exceed three years from the date of purchase and the deferred payments to bear a rate of interest of not to exceed six percent per annum.

[1973 c 560 s 1]

[For text of subds. 4 to 12, see M.S.1971]

MISCELLANEOUS PROVISIONS

123.70 Health standards; newly enrolled students

Subdivision 1. Prior to his initial enrollment in any school in this state every child shall submit to the principal or other person having general control and supervision of the school, one of the following statements: (1) a statement signed by a physician that he has received immunization against red measles and German measles or rubella by such means as is approved by the state board of health and that such immunization is currently effective; or (2) a statement signed by a physician that the physical condition of the child is such that immunization would seriously endanger his life or health; or (3) a statement signed by his parent or guardian that he has not been immunized as prescribed in clause (1) because he is being reared as an adherent

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of a religious denomination whose teachings are opposed to such immunization; or (4) a request signed by his parent or guardian that the local health officer administer the prescribed immunization.

[1973 c 137 s 1]

[For text of subd. 2, see M.S.1971]

Subd. 3. The phrase "any school" means any public, private or parochial elementary school, day care center or nursery school.

[1973 c 137 s 2]

Subd. 4. The immunizations required by this section should be completed prior to the second birthday of the child.

[1973 c 137 s 3]

123.72 Insurance premiums for retired personnel

The school board of any independent school district may expend funds to pay premiums on hospitalization and major medical insurance coverage for officers and employees who retire prior to age 65 and who are between the ages of 60 and 65. Such premiums shall only be paid until such retired officers and employees reach age 65.

[1973 c 739 s 1]

CHAPTER 124. SCHOOL TAXES, FUNDS, AIDS

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124.03 Agricultural land tax differential ratio

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. (a) The county auditor shall compute the tax levy that would be produced by applying a rate of 25 mills to the valuation determined on the January 2, 1971 assessment and 8.3 mills on the January 2, 1972 assessment and subsequent assessments on all the agricultural lands and all real estate devoted to temporary and seasonal residential occupancy for recreational purposes, but not devoted to commercial purposes, within the several school districts for which the tax levy is required to be certified to him. The amounts so computed by the county auditor shall be submitted to the commissioner of taxation by November 15 of each year for verification.

(b) If the commissioner of taxation agrees with the computation, he shall deliver to the state auditor his certificate to that effect. In the event that the commissioner deems the computation to be erroneous, he may make the necessary corrections and deliver to the state auditor his certificate reflecting the amounts he deems to be correct. The county auditor or any school district aggrieved thereby may appeal the commissioner's revised certification to the Minnesota tax court in accordance with chapter 271.

(c) On or before May 31, 1972, the state auditor shall issue his warrant upon the state treasurer in favor of the school district in an amount equal to one half the amount certified by the commissioner shown to be due to the district. On or before October 31, 1972, the state auditor shall issue his warrant